

## CITY OF MESA

### MINUTES OF THE PLANNING AND ZONING BOARD MEETING

Held in the City of Mesa Council Chambers

Date: January 20, 2010 Time: 4:00 p.m.

#### MEMBERS PRESENT

Frank Mizner, Chair  
Randy Carter, Vice Chair  
Beth Coons  
Scott Perkinson  
Chell Roberts  
Vince DiBella  
Lisa Hudson

#### MEMBERS ABSENT

None

#### OTHERS PRESENT

John Wesley  
Tom Ellsworth  
Lesley Davis  
Angelica Guevara  
Gordon Sheffield  
Debbie Archuleta

Margaret Robertson  
Stephen Earl  
Robert Smee  
Barry LaNier  
Others

Chairperson Mizner declared a quorum present and the meeting was called to order at 4:00 p.m. The meeting was recorded on tape and dated January 20, 2010. Before adjournment at 4:40 p.m., action was taken on the following:

It was moved by Boardmember Randy Carter, seconded by Boardmember Scott Perkinson that the minutes of the December 15, 2010, and December 16, 2010 study sessions and regular meeting be approved as submitted. Vote: 6 – 0 – 1 Boardmember Roberts was absent in December.

Consent Agenda Items: All items identified with an asterisk (\*) were approved with one Board motion.

It was moved by Boardmember Beth Coons, seconded by Boardmember Vince DiBella that the consent items be approved. Vote: 7 – 0

Zoning Cases: Z10-01, Z10-02, Z10-03, Z10-04

## MINUTES OF THE JANUARY 20, 2010 PLANNING AND ZONING MEETING

Item: **Z10-04 (District 2)** East Main Street. Located east of Lindsay Road on the south side of Main Street (1.3± acres). Site Plan Review. This request will allow the development of a storage yard. Robert Smee owner/applicant.

Comments: Robert Smee, 9416 North Longfeather, Fountain Hills, represented the case. Mr. Smee stated he was in agreement with the staff conditions.

Staffmember Lesley Davis explained the request. She stated the applicant was requesting reductions in setbacks along Main Street and along the west property line. The setback along Main would be consistent with existing developments along Main. These reductions are subject to the approval of a DIP through the Board of Adjustment process.

Boardmember Randy Carter thought the applicant should be able to defer building the trash enclosure until he was ready to construct the future building.

Boardmember Scott Perkinson questioned why they needed an 8' wall when the wall to the east was 6'. Staffmember Davis stated the applicant was proposing an 8' wall and the trailers would be tall so the wall could be for both screening and security.

Chair Frank Mizner was concerned that this was not the most economical use of the land; however, it was in character with what has existed in the area for years.

It was moved by Boardmember Scott Perkinson, seconded by Boardmember Beth Coons

That: The Board approve zoning case Z10-04 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan submitted (without guarantee of lot coverage).
2. Compliance with all requirements of the Design Review Administrative Approval.
3. Compliance with all City development codes and regulations.
4. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit, at the time of recordation of the subdivision plat, or at the time of the City's request for dedication whichever comes first.
5. Review and approval of a Development Incentive Permit (DIP) by the Board of Adjustment.
6. Provide a landscape island on the north side of the parking area inside the wall at the northeast corner of the project adjacent to the interior of the wall, including one tree.
7. Provide a large landscape island at the north side of the center interior parking spaces identified on the Site Plan. This area should be large enough to accommodate 2 trees and 6 shrubs and screen the 2 northernmost parking spaces.
8. Reduce the radius on the two corners on both sides of the drive aisle where it intersects with the northernmost parking stalls outside of the wall.
9. Relocate the keypad for the entry gate so that it does not create a conflict for vehicles exiting the site.

Vote: Passed 7 – 0

MINUTES OF THE JANUARY 20, 2010 PLANNING AND ZONING MEETING

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***Note: Audiotapes of the Planning & Zoning Board Meetings are available in the Planning Division Office for review. They are also “live broadcasted” through the City of Mesa’s website at [www.cityofmesa.org](http://www.cityofmesa.org)***

## MINUTES OF THE JANUARY 20, 2010 PLANNING AND ZONING MEETING

Item: **Z10-01 (District 2)** 2639 East Broadway Road, Suite 105. Located west of Lindsay Road and south of Broadway Road (3,000+ sq. ft.) Council Use Permit. This request will allow an existing restaurant to operate with 30% of its gross revenue coming from food sales in association with a "Grill" liquor license. Michael Pollack, owner. Kimberly Guethle, applicant.

Comments: This case was on the consent agenda and therefore was not discussed individually.

It was moved by Boardmember Beth Coons, seconded by Vince DiBella Boardmember

That: The Board recommend to the City Council approval of zoning case Z10-01 conditioned upon:

1. Compliance with the basic development as described in the project narrative and plan of operation submitted.
2. The approval of this Council Use Permit is limited to operation under a Continuation of a Series 12 Liquor License, or "Grill" License, and is therefore restricted to a minimum of 30% of its gross revenue being derived from the sale of food.
3. Compliance with all City development codes and regulations.
4. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).

Vote: Passed 7 – 0

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## MINUTES OF THE JANUARY 20, 2010 PLANNING AND ZONING MEETING

Item: **Z10-02 (District 6)** 11464 East Germann Road. Located on the west side of the Meridian Road alignment, between Pecos Road and Germann Road (229± acres) Modificaiton of Ordinance #4870. This request will allow the phasing of development on the site. CMC Steel owner. Andrew Sarat, applicant.

Comments: This case was removed from the consent agenda by Barry LaNier of 11523 East Quade Avenue, Mesa, AZ. Mr. LaNier spoke on behalf of the Mesquite Canyon Congregation of Jehovah's Witnesses. Mr. LaNier stated there has been a history of flooding east of the plant. He thought the flooding has gotten worse since the plant opened. He wanted Meridian Road developed and half street improvements for Pecos Road.

Staffmember Tom Ellsworth explained the application was to phase on-site improvements. Specifically to defer the landscaping along Pecos and the landscaping and a statue along Germann. He stated the applicant was currently working with the City to improve the center portion of Pecos Road. Regarding flooding, on-site water was retained and off-site flows continue as before.

Stephen Earl represented the case. Mr. Earl stated the plant had been built. All of the drainage required had been developed. They were required to allow the flow of water through their property, which they had. When Meridian is built it may help the flooding issue; however, Meridian does not exist to the north or the south, therefore, they would not be developing their portion of Meridian until the City requests it. He stated they were working with the City to build the center portion of Pecos to City standards. He stated they had installed 19 trees and the berms along Germann and a berm along Pecos.

Chair Frank Mizner confirmed there were approximately 8 homes on the east side of Meridian Road that access their property on Pecos Road. He stated that this area has a long history of flooding. He also confirmed that Meridian Road may not be built for years. Pinal County is on the east side of Meridian Road and Queen Creek is south of Germann Road. He understood there were real concerns with access and flooding on the east side of Meridian Road; however, they were not in Mesa's jurisdiction. He suggested Mr. LaNier and the other property owners on the east side of Meridian talk to City staff about historical flooding and access problems. He did not believe this project was affecting the flooding problems.

Boardmember Vince DiBella confirmed there was a dyke, but it had been there for decades.

Boardmember Randy Carter confirmed that the water flows from the east, and the historic flows are not being stopped by this project.

Mr. LaNier stated they were also concerned with the landscaping not being installed now, because if they chose to sell their property the lack of landscaping on this project could affect the value of their land.

It was moved by Boardmember Vince DiBella, seconded by Boardmember Randy Carter

That: The Board recommend to the City Council approval of zoning case Z10-02 conditioned upon:

1. Compliance with the basic development as described in the project narrative and

## MINUTES OF THE JANUARY 20, 2010 PLANNING AND ZONING MEETING

phasing plan and as shown on the site plan and elevations previously approved through Ordinance #4740 and #4870.

2. Compliance with all requirements of the Design Review Board from case DR07-81.
3. Compliance with all City development codes and regulations.
4. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit, at the time of recordation of the subdivision plat, or at the time of the City's request for dedication whichever comes first.
5. Owner granting an Avigation Easement and Release to the City, pertaining to Phoenix-Mesa Gateway Airport.
6. Landscaping along Meridian Road to be installed at the time of development of Meridian Road or at such time as deemed appropriate by the City of Mesa.
7. Primary access off of Meridian Road to be evaluated by the City of Mesa upon completion of the development of Meridian Road.
8. Defer landscaping of the berm along Pecos Road until development of the remainder of the Pecos right of way, or at such time deemed appropriate by the City of Mesa.
9. Defer landscaping of the berm along Germann Road, the turf along 1400' of the interior roadway, and the placement of the "Steel Maker" statue per requirements of a Development Agreement approved by the City Council.

Vote: Passed 7 – 0

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## MINUTES OF THE JANUARY 20, 2010 PLANNING AND ZONING MEETING

Item: **Z10-03 (District 6)** 6560 South Mountain Road. Located north of Pecos Road on the west side of Mountain Road (8.7± acres) Rezone from AG to M-2, Council Use Permit and Site Plan Modification. This request will allow the expansion of an existing industrial development. MGC Pure, owner; Aaron Goodmansen, applicant.

Comments: This case was on the consent agenda and therefore was not discussed individually.

It was moved by Boardmember Beth Coons, seconded by Boardmember Vince DiBella

That: The Board recommend to the City Council approval of zoning case Z10-03 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan submitted (without guarantee of lot coverage).
2. Compliance with all City development codes and regulations.
3. Owner granting an Avigation Easement and Release to the City, pertaining to Phoenix-Mesa Gateway Airport.

Vote: Passed 7 – 0

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MINUTES OF THE JANUARY 20, 2010 PLANNING AND ZONING MEETING

Respectfully submitted,

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John Wesley, Secretary  
Planning Director

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